





1 and have sought to create an impression of hardship and  
2 suffering. This is untrue. As the attached booklet from the  
3 Hemet Chamber of Commerce describes, the Hemet valley (in which  
4 Gilman Hot Springs and Happy Valley are located), is a valley  
5 of the San Jacinto mountain range. It has a "average mean  
6 temperature of 75 degrees, 350 days of sunshine, ocean breezes  
7 and cloud free skies". Further, the city was founded as an  
8 agricultural area. (Exh. 1) Further, Happy Valley in which  
9 the RPF lived and worked is pleasant and hospitable, as is  
10 shown in the attached photographs of the entire valley (Exh.  
11 2) and the video footage of the facilities at Happy Valley  
12 (Exh. 3).

13 4. For example, in her newest declaration, Mrs. Aznaran  
14 asserts that she was "forced by threat and duress to assign  
15 [herself] to the RPF (Rehabilitation Project Force)." She also  
16 asserts that she "was told that if [she] did not write an issue  
17 assigning [herself] that David Miscavige would write it and it  
18 would be far worse than anything [she] could ever imagine. In  
19 other words he would write anything he wished to and make it  
20 broadly known." These allegations are directly contradictory to  
21 her earlier deposition testimony on the same subject.

22 5. Under examination in deposition on July 1, 1988, Mrs.  
23 Aznaran came much closer to truthfully explaining the story of  
24 her assignment to the RPF, testifying as follows:

25 Q: You wrote an issue assigning yourself to  
26 the RPF?

27 A: Yes. I told them if I didn't write it,  
28 something far worse than I could ever write would



1 be written.

2 Q: You wrote it?

3 A: That's right.

4 (Exh. 4 at 1097, deposition of Vicki J. Aznaran; a true and  
5 correct copy of which is attached hereto.)

6 6. Vicki Aznaran's deposition testimony comports in  
7 general with what actually happened. Her latest declaration on  
8 the subject, in which she asserts that someone told her that  
9 Mr. Miscavige would write something far worse if she did not  
10 write her assignment, is simply not true. The truth is that  
11 Vicki, realizing that she had seriously violated the  
12 ecclesiastical policies of the Church, decided to assign  
13 herself to the RPF in order to rehabilitate her own moral and  
14 ethical character. A full listing of Vicki Aznaran's  
15 transgressions against th Church and Scientoogists would be far  
16 worse than the self-assigned write up. Vicki was well aware of  
17 this.

18 7. Vicki Aznaran's attempts to portray herself as being  
19 held a virtual captive on the RPF are contradicted by her  
20 earlier deposition testimony. Her claims of enforcement are  
21 rebutted by her earlier statement that she never saw guards  
22 ever physically restrain anyone on the RPF. (Exh. 5 at 801.)  
23 Moreover, her claims of being controlled by physical and mental  
24 means dissolve in the face of her testimony that once she  
25 decided to leave, she made arrangements to do so with two other  
26 staff. Then when they drove up in a car, she simply got in and  
27 they drove off (Exh. 6 at 733-734) She explained that she had  
28 been lying under a tree when the staff member drove up. She



1 went to get into the car. Chris Byrne, another RPF member,  
2 grabbed her hand, telling her not to go. She told him to let  
3 go, which he did. She then got into the car and left. (Exh.  
4 7 at 740-742.)

5 8. Vicki Aznaran also testified in the same deposition  
6 that David Miscavige confronted her regarding her support of  
7 the hiring of former Guardian's Office staff who had been  
8 involved in improper actions. The Guardian's Office was the  
9 unit of the Church of Scientology which was responsible for the  
10 legal, public relations, and social reform actions of the  
11 Church until the early 1980's. In response to unceasing  
12 attacks upon the Church, a few Guardian's Office staff members  
13 engaged in illegal acts in a misguided effort to defend their  
14 Church. When it was realized by Church management in the late  
15 1970s that the Guardian's Office staff had permitted and  
16 condoned such actions, which are in direct violation of basic  
17 Church policies and scripture, Mr. Miscavige, I and several  
18 other senior Church staff engaged in an effort to clean up that  
19 organization. The entire Guardian's Office was abolished in  
20 the early 1980's.

21 9. As Mrs. Aznaran acknowledged in deposition, Mr.  
22 Miscavige was "very, very upset" when he learned that she had  
23 hired former Guardian's Office staff and, he told her that he  
24 wanted her to "clean those people out of RTC immediately."  
25 Moreover, she admitted that she was not in agreement with  
26 handling those individuals in that manner. This was a key  
27 factor in her failure to succeed as the president of RTC.

28 10. Vicki Aznaran's support of the employment of the



1 former Guardian Office staff members by RTC in direct violation  
2 of established Church policy was extremely serious and it  
3 combined with an even more serious transgression to lead to her  
4 resignation from her staff position. Mrs. Aznaran held one of  
5 the highest ecclesiastical positions in the Scientology  
6 religion. In this position, she knew beyond any question that  
7 L. Ron Hubbard was and will always be the sole and exclusive  
8 Source of Scientology scripture. Nevertheless, she supported a  
9 power push by Pat Broeker and his wife, Anne Broeker, to seize  
10 control of the entire structure of the Churches of Scientology  
11 and to position Pat Broeker as Source of Scientology scripture.  
12 There is no more serious ecclesiastical crime in the religion  
13 of Scientology. The power push failed and in March 1987, when  
14 Vicki Aznaran was confronted with and admitted the enormity of  
15 what she had done, she resigned as Inspector General and  
16 president of RTC and assigned herself to the Rehabilitation  
17 Project Force. Vicki Aznaran herself testified to this in her  
18 deposition. (Exh. 8 at 1060-1063; Exh. 9 at 1094-1096;  
19 deposition of Vicki Aznaran)

20 11. Vicki Aznaran alleges in her declaration that she was  
21 "forced" to assign herself to the RPF because, five years  
22 earlier, she allegedly watched Mr. Misvavige strike three  
23 persons, whom she does not name. She does not name the  
24 individuals for the simple reason that the incident never  
25 occurred.

26 12. Indeed, the fact that Vicki does not even try to  
27 invent any specified incidents of allegedly false RPF  
28 assignments, or of the use of force by Mr. Miscavige or



1 others, in any time period even remotely close to the time  
2 period of her own assignment to the RPF, surely makes plain  
3 that such incidents were unknown during the time period in  
4 question. This imaginative invention, like the other incident  
5 noted above, should be ignored by the Court.

6 13. In another instance where her declaration testimony  
7 differs from deposition testimony, Vicki stated she felt  
8 suicidal while taking part in the Running Program. Her sister  
9 had testified that Vicki told her about this program after  
10 leaving the Church, but that "it was more in a positive  
11 context...and that was the way of getting our head clear of bad  
12 thoughts." (Exh. 10 is a true and correct copy of excerpts of  
13 deposition of Karen McRae taken in this case. See Exh. 10 at  
14 62)

15 14. Vicki Aznaran has further portrayed her history in  
16 the Church as one of stress and hardship, devoid of religious  
17 significance. Again this is false. For example, she  
18 acknowledged in her deposition of June 28, 1988 that she  
19 conducted religious services and testified extensively about  
20 her performances of services such as marriages. (See Exh. 11  
21 at 560-573; photos of one of the weddings, entered as exhibits  
22 in that deposition, are attached as Exh. 12) She has also  
23 testified extensively about the gains she obtained from  
24 auditing she received and its religious nature, and she has  
25 admitted that the success stories which she wrote during her  
26 years as a Scientologist were accurate reflections of her  
27 feelings at the time. (Exh. 13 at 542; Exh. 14 at 549; Exh.  
28 15 at 576-580; Exh. 16 at 586-587.)



1           15. In fact, Vicki was quite expansive about the  
2 importance to all people of the religion of Scientology. In  
3 October, 1984, Vicki made an extemporaneous speech to a  
4 group of Scientologists in the United Kingdom in which she  
5 clearly described Scientology as a vital religion. This speech  
6 was video taped. Similarly, in October 1986, Vicki described  
7 Scientology as an important religion to an audience of  
8 thousands in Toronto, Canada. Furthermore, she read a quote  
9 from the works of L. Ron Hubbard just after this statement,  
10 which talks of Scientology being a "science of understanding"  
11 to free men by bringing spiritual awareness. This clearly  
12 shows her current claims of Scientology being presented as  
13 non-religious based on the use of the word "science" to be  
14 wholly dishonest. (A video tape and transcripts of two of her  
15 speeches are attached as Exh. 17, 18 and 19.)

16           16. It should be noted that Vicki held a position at the  
17 highest level of the ecclesiastical hierarchy at the time she  
18 gave both of the speeches cited above. More importantly, as  
19 this video excerpt shows, Vicki, in 1984, was not only  
20 perfectly aware of the religious nature of the Scientology  
21 faith, but had complete knowledge of the false allegations made  
22 by Scientology opponents. She talked about her desire to build  
23 a strong group, one that she described as follows: "[It] is not  
24 composed of people sitting on fences. It is not composed of  
25 people who complain about their leaders, but people who are  
26 willing to fight, to stand up for what they believe in, to  
27 support their organizations, their faith and their religion.  
28 And not listen to the black PR of the enemy. This is something



1 that is very important to me, it's something I deal with every  
2 day,..." For the purpose of the statute of limitations, this  
3 last sentence is especially important to take note of: it  
4 reveals irrefutably that already back then, Vicki was aware of  
5 criticism being levelled against the Church. "Black PR" is  
6 defined as making knowing false and derogatory statements  
7 against men and institutions of goodwill. Not only do Vicki's  
8 statements show she was aware of negative allegations made  
9 against the Church, but she also acknowledges her "every day"  
10 involvement in dealing with such attacks. Between 1982 and  
11 1986, I sat in numerous conferences with Vicki in which  
12 strategies were formulated to deal with such attacks. In fact,  
13 Joseph A. Yanny, our former counsel, whom this court has  
14 disqualified from representing the Aznarans, has argued in his  
15 own defense that he could not give information to Vicki about  
16 Church litigation that she was not already aware of, because  
17 Vicki was aware of all the facts Yanny was paid over two  
18 million dollars to learn. That Vicki now claims ignorance of  
19 such claims is despicable.

20 17. The plaintiffs currently assert that during the time  
21 they spent at the motel in Hemet, they were controlled by the  
22 Church through a fear of being declared "fair game". Leaving  
23 aside the fact that no such policy or practice exists within or  
24 is carried out by any Church of Scientology organization -- a  
25 fact well known by Vicki Aznaran as she stated that in a letter  
26 to the IRS dated April 28, 1985 (Exh. 20 at 978 with encl.  
27 letter), the deposition testimony of the Aznarans makes it  
28 clear that they were not acting out of fear or compulsion.



1           A. When Richard and Vicki Aznaran decided to leave the  
2 Church, a Church staff member went to Hemet and audited Richard  
3 and Vicki with a form of spiritual counseling known as  
4 confessional counseling or security checking. This is a form  
5 of counseling which is done for the purpose of relieving  
6 spiritual travail in an individual, or to help a person  
7 unburden himself of the actions which he has taken against  
8 another or a group. This form of auditing is given to all  
9 Scientologists when appropriate and necessary. It is also  
10 given to staff members who have decided to leave the group in  
11 order to ensure that their transition to secular life is a  
12 smooth one, free of left over guilts or upset which may have  
13 made them decide that they needed to leave. Sec-checking is not  
14 a punishment or ethics action. It is voluntary and analogous  
15 to a confessional in the Catholic Church.

16           B. Richard Aznaran is now claiming that the security  
17 checking which he received was done "to soften [him] up and  
18 remind [him] of what powers the cult (sic) could bring to bear  
19 on [him]." This contradicts Richard's earlier deposition  
20 testimony, in which he said that the matters concerning which  
21 he was security checked related to whether or not he "may have  
22 had some secret motive for leaving, that possibly we were going  
23 to go to the government with information or possibly testify,  
24 make information public." (Exh. 21 at 87; deposition of  
25 Richard N. Aznaran)

26           C. Aznaran's contradictory statements demonstrate that he  
27 is unconcerned with the truthfulness of his assertions.  
28 Instead Aznaran will swear to whatever he believes to be the



1 most expedient phrasing at the moment he is questioned.  
2 Security checking is not designed to "soften [someone] up" or  
3 to "remind" him of "power." It is a form of the confessional,  
4 common to many religions, designed to help a person to confess  
5 his transgressions and obtain forgiveness for them. Indeed, it  
6 is a part of every completed security check for the minister to  
7 provide the parishioner with formal forgiveness for those  
8 transgressions, so that he may begin his life anew, unburdened  
9 by those sins and errors.

10 D. Vicki Aznaran currently claims that she called her  
11 sister to alert her to the need to summon law enforcement  
12 agencies were Vicki and Rick to disappear. In her earlier  
13 deposition testimony, however, she stated that when she called  
14 to Karen McRae from the motel in Hemet, their conversation was  
15 just "sister to sister". (Exh. 22 at 904) This is especially  
16 notable as the Aznarans had unlimited, private access to the  
17 telephone in their motel room. So Vicki could easily have  
18 communicated a warning to her sister had she felt the need to  
19 do so, which she clearly did not.

20 E. Vicki Aznaran now asserts that the reason she signed  
21 the release and waiver was due to a fear of being declared a  
22 suppressive person. This was not always her story. Earlier  
23 when questioned about this matter, she asserted that signing  
24 these documents was not a matter of concern for her. She  
25 stated that she "didn't pay a whole lot of attention" to the  
26 release as she "didn't think it was worth very much". (Exh.  
27 23 at 898-899) Certainly in the summer of 1988 when this  
28 deposition occurred, Vicki did not feel her signature was



1 coerced or the product of either an express or implied threat.

2 F. Moreover, while plaintiffs now seek to portray their  
3 stay at the Best Western motel in Hemet as stressful, with  
4 constant surveillance and so forth, this was not always the  
5 picture she painted. In her early deposition, Vicki  
6 characterized her conversations with myself and the other  
7 attorneys and Church members who were dealing with them as  
8 "very cordial". (Exh. 24 at 903)

9 G. Furthermore, while the plaintiffs now characterize all  
10 of their actions during this time period as the result of the  
11 implied pressure of the alleged "fair game" threat, Vicki has  
12 admitted in her July 1988 deposition that they were never  
13 subjected to "fair game", even after leaving the Church. This  
14 admission is especially significant as she now would have the  
15 Court believe that she became "fair game" after they filed suit  
16 -- which was in April, 1988, three months prior to the date  
17 of her deposition.

18 H. The plaintiffs assert currently that they could not  
19 leave the motel without permission. This was not true. For  
20 example, Richard testified in deposition on 15 July 1988 that  
21 he had written me a note informing me that he and Vicki had  
22 gone to see a doctor in Los Angeles and so he had missed  
23 meeting with me and would try to see me when they returned.  
24 (See Exh. 25 at 401-402 and Exh. 26; depositions of Richard  
25 Aznaran taken in this case.) In fact, as they did at the time  
26 of this missed meeting, the Aznarans frequently drove to  
27 dinner, to do laundry and to other places as they chose. They  
28 had their own vehicle to use for this purpose and were not



1 hampered in any way in their movements.

2 I. Another explanation they now give in order to extend  
3 their claim of duress, is that they were forced to cooperate in  
4 order to be given back their personal possessions. Once more  
5 their current claim is belied by their original statements on  
6 the matter. Richard has testified that, except for their  
7 animals, most of their personal property at the time was being  
8 maintained in a public storage facility to which Vicki had  
9 keys. Further, as the Aznarans were unable to keep their dog  
10 with them at the motel, they specifically requested that a  
11 church staff member take care of it for them. That staff  
12 member saw to it that their dog was fed, exercised and cared  
13 for until they were ready to depart for Texas, at which time I  
14 delivered the dog to them. Clearly, the claim that they were  
15 held at the motel by a concern for their pets and possessions,  
16 is contradicted by the fact that they could have collected  
17 those possessions at any time of their own choosing.

18 J. The Plaintiffs' current assertions that their  
19 cooperation was somehow forced is contradicted by their earlier  
20 deposition testimony that at the time they were cooperating  
21 fully with myself and other Scientologists, they wanted to  
22 remain public Scientologists, within the Church. (Exh. 27 at  
23 88) In fact, after they returned to Dallas, Richard petitioned  
24 me regarding his freeloader debt (a billing for services  
25 received and now owed by former staff due to breakage of their  
26 staff contract), as he and Vicki wanted to sort out their  
27 ethics status with the Church. He explained that they wanted  
28 to resolve this so that they could resume taking Church



1 services. (Ex. 28 at 197-198) In fact, Richard and Vicki  
2 delivered Scientology services to a Gary Franks in Texas  
3 several months after they left in 1987. (Exh. 29 at 101)

4 18. The Aznarans have also sought to misdirect the  
5 Court's attention away from the true issues in this case by  
6 submitting the wholly irrelevant Time magazine attack upon  
7 the Church. In the event that the Court decides to read this  
8 material, I have attached copies of two pamphlets, The Story  
9 Time Couldn't Tell (Exh. 30) and Fact vs. Fiction (Exh.  
10 31), which provide the true data concerning both the reasons  
11 for Time's attack upon the Church and the facts about the  
12 events which the Time reporter altered or invented  
13 completely.

14 A. Plenty of evidence exists that the Time article is  
15 riddled with falsehoods, some of which have been documented  
16 since the publication of the two booklets referred to in  
17 paragraph 18 above. For example, two Scientologist businessmen  
18 were reported to be involved in allegedly unethical business  
19 operations and in improper dealings at the Vancouver Stock  
20 Exchange (VSE). The VSE subsequently conducted an  
21 investigation into Time's allegations, including the alleged  
22 involvement of the Church of Scientology in VSE-listed  
23 companies. The VSE not only found that there was no evidence  
24 to support Time's allegations, but when they interviewed the  
25 reporter, Richard Behar, he could not "provide any details of  
26 the Church of Scientology profiting in any illegal way from  
27 activities connected with the Vancouver Stock Exchange." (Exh.  
28 32; press article about the VSE's findings, Exh. 33.)



1           B. Time also attempted to tar the Church with the  
2 crimes of one Steven Fishman. The truth is that Fishman  
3 committed mail fraud starting in 1983 for which he was indicted  
4 on 11 counts in September 1988. When indicted, Fishman tried  
5 to blame the Church of Scientology for his prior criminal  
6 activities. Evidence shows, however, that his association with  
7 the Church was insignificant and occurred after he engaged in  
8 mail fraud. Fishman pleaded guilty to two counts of mail fraud  
9 and to a charge of obstruction of justice and is now serving a  
10 five year sentence in federal prison (Exh. 34). The charge of  
11 obstruction of justice resulted from Fishman's attempt to frame  
12 the Church of Scientology. Fishman had claimed that the Church  
13 had made threatening phone calls to, among others, himself and  
14 his psychiatrist. The FBI investigated Fishman's complaint,  
15 finding that Fishman himself had in fact paid an associate to  
16 make the phonecalls for him in an effort to set up the Church  
17 (Exh. 35). Fishman was convicted for attempting to blame his  
18 criminal conduct on the Church; exactly what the Time article  
19 attempts to do.

20           C. In order to communicate the truth about Time's  
21 hatchet job, the Church has responded to it with an advertising  
22 campaign in USA Today. (Exh. 36) These ads showed, for one  
23 thing, that Time magazine has a long term history of and, in  
24 fact, has a reputation for misrepresenting facts. They also  
25 showed that the article was actually an act of retaliation  
26 because of the Church's public warning campaign against the  
27 dangerous drug Prozac. The Church had taken on the cause of  
28 the surviving victims of Prozac, many of whom had attempted



1 suicide and self mutilation. The ads laid out for the general  
2 public the true nature of the Church of Scientology; its creed  
3 and philosophy; its basic teachings and social reform  
4 activities. The last part of the advertisement series was  
5 called "I am a Scientologist." It introduced members of the  
6 Church of Scientology to the public at large. These members  
7 are people from all walks of life: carpenters; secretaries;  
8 designers; pilots; fishermen; business executives; artists;  
9 movie stars and producers; etc. The Court should read and  
10 consider all of the public education ads if it even glances at  
11 the Time magazine article.

12 D. For that matter, the Court ought to consider the  
13 publications enclosed, which lay out the true achievements of  
14 the Church of Scientology and L. Ron Hubbard, the founder of  
15 the religion. (1) L. Ron Hubbard, The Man and His Works:  
16 This booklet acquaints the reader with the man who created what  
17 is the fastest growing religion in the world today. It  
18 portrays the many, many accomplishments of Mr. Hubbard in a  
19 large number of fields as diverse as philosophy, (Exhibit 37).  
20 (2) Scientology, Results and Successes: This booklet contains  
21 samples of the millions of success stories written by  
22 individuals who have applied Scientology principles and  
23 technology and have successfully changed unwanted and  
24 undesirable conditions that used to be part of their lives.  
25 The purpose of this booklet is to show people the results that  
26 Scientologists are experiencing on a daily basis, and how the  
27 Church improves life in a troubled world (Exhibit 38). (3)  
28 The Church of Scientology - A Vital Force In Your Community:




1 This booklet contains an overview of the services  
2 Scientologists are providing for their communities . These  
3 programs include those which reduce drug abuse, illiteracy,  
4 combat crime and violence in the community, clean up the  
5 environment, and restore hope to those whose lives have been  
6 afflicted with misfortune (Exhibit 39).

7 19. The Aznarans have told many versions of the events  
8 upon which they seek to build their lawsuit. Based upon my  
9 knowledge of and participation in those events, I know that  
10 only the first version comes close to fitting the reality of  
11 what occurred. The other renditions are contradictory and the  
12 only possible explanation for them is that the plaintiffs have  
13 sought to change their story in order to escape the plain fact  
14 that the actual version does not support their legal claims.

15 I declare under the penalty of perjury under the laws of  
16 the State of California that the foregoing is true and correct.

17  
18 Executed this 26th day of August, 1991, in the State of  
19 California.

20   
21 MARK C. RATHBUN

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